

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,

Plaintiff,

v.

Eduardo Prado Flores,

Defendant.

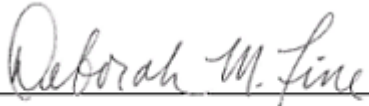
No. 25-05225MJ-001-PHX-DMF

ORDER

For the parties' briefing regarding the legal issue discussed at the detention hearing, the Court provides the parties with the version of 8 C.F.R. § 264.1 which appears to have been in effect from December 23, 2016, to April 10, 2025: 8 C.F.R. § 264.1 (2016) (attached); *see* 81 Fed. Reg. 94231, 94234 (Dec. 23, 2016).

IT IS SO ORDERED.

Dated this 24th day of April, 2025.



Honorable Deborah M. Fine
United States Magistrate Judge

Code of Federal Regulations

Title 8. Aliens and Nationality

Chapter I. Department of Homeland Security ([Refs & Annos](#))

Subchapter B. Immigration Regulations

Part 264. Registration and Fingerprinting of Aliens in the United States ([Refs & Annos](#))

This section has been updated. Click [here](#) for the updated version.

8 C.F.R. § 264.1

§ 264.1 Registration and fingerprinting.

(a) Prescribed registration forms. The following forms are prescribed as registration forms:

Form No. and Class

I-67, Inspection Record—Hungarian refugees (Act of July 25, 1958).

I-94, Arrival–Departure Record—Aliens admitted as nonimmigrants; aliens paroled into the United States under section 212(d) (5) of the Immigration and Nationality Act; aliens whose claimed entry prior to July 1, 1924, cannot be verified, they having satisfactorily established residence in the United States since prior to July 1, 1924; aliens lawfully admitted to the United States for permanent residence who have not been registered previously; aliens who are granted permission to depart without the institution of deportation proceedings or against whom deportation proceedings are being instituted.

I-95, Crewmen's Landing Permit—Crewmen arriving by vessel or aircraft.

I-181, Memorandum of Creation of Record of Lawful Permanent Residence—Aliens presumed to be lawfully admitted to the United States under [8 CFR 101.1](#).

I-485, Application for Status as Permanent Resident—Applicants under sections 245 and 249 of the Immigration and Nationality Act as amended, and section 13 of the Act of September 11, 1957.

I-590, Registration for Classification as Refugee—Escapee—Refugee-escapees paroled pursuant to section 1 of the Act of July 14, 1960.

I-687, Application for Status as a Temporary Resident—Applicants under section 245A of the Immigration and Nationality Act, as amended.

I-691, Notice of Approval for Status as a Temporary Resident—Aliens adjusted to lawful temporary residence under [8 CFR 210.2](#) and [245A.2](#).

I-698, Application to Adjust Status from Temporary to Permanent Resident—Applicants under section 245A of the Immigration and Nationality Act, as amended.

I-700, Application for Status as a Temporary Resident—Applicants under section 210 of the Immigration and Nationality Act, as amended.

I-817, Application for Voluntary Departure under the Family Unity Program.

(b) Evidence of registration. The following forms constitute evidence of registration:

Form No. and Class

I-94, Arrival–Departure Record—Aliens admitted as nonimmigrants; aliens paroled into the United States under section 212(d) (5) of the Immigration and Nationality Act; aliens whose claimed entry prior to July 1, 1924, cannot be verified, they having satisfactorily established residence in the United States since prior to July 1, 1924; and aliens granted permission to depart without the institution of deportation proceedings.

I-95, Crewmen's Landing Permit—Crewmen arriving by vessel or aircraft.

I-184, Alien Crewman Landing Permit and Identification Card—Crewmen arriving by vessel.

I-185, Nonresident Alien Canadian Border Crossing Card—Citizens of Canada or British subjects residing in Canada.

I-186, Nonresident Alien Mexican Border Crossing Card—Citizens of Mexico residing in Mexico.

I-221, Order to Show Cause and Notice of Hearing—Aliens against whom deportation proceedings are being instituted.

I-221S, Order to Show Cause, Notice of Hearing, and Warrant for Arrest of Alien—Aliens against whom deportation proceedings are being instituted.

I-551, Permanent Resident Card—Lawful permanent resident of the United States.

I-766, Employment Authorization Document.

Form I-862, Notice to Appear—Aliens against whom removal proceedings are being instituted.

Form I-863, Notice of Referral to Immigration Judge—Aliens against whom removal proceedings are being instituted.

Note to paragraph (b): In addition to the forms noted in this paragraph (b), a valid, unexpired nonimmigrant DHS admission or parole stamp in a foreign passport constitutes evidence of registration.

(c) Replacement of alien registration. Any alien whose registration document is not available for any reason must immediately apply for a replacement document in the manner prescribed by USCIS.

(d) Surrender of registration. If an alien is naturalized, dies, permanently departs, or is deported from the United States, or evidence of registration is found by a person other than the one to whom such evidence was issued, the person in possession of the document shall forward it to a USCIS office.

(e) Fingerprinting waiver.

(1) Fingerprinting is waived for nonimmigrant aliens admitted as foreign government officials and employees; international organization representatives, officers and employees; NATO representatives, officers and employees, and holders of

diplomatic visas while they maintain such nonimmigrant status. Fingerprinting is also waived for other nonimmigrant aliens, while they maintain nonimmigrant status, who are nationals of countries which do not require fingerprinting of United States citizens temporarily residing therein.

(2) Fingerprinting is waived for every nonimmigrant alien not included in paragraph (e)(1) of this section who departs from the United States within one year of his admission, provided he maintains his nonimmigrant status during that time; each such alien not previously fingerprinted shall apply therefor at once if he remains in the United States in excess of one year.

(3) Every nonimmigrant alien not previously fingerprinted shall apply therefor at once upon his failure to maintain his nonimmigrant status.

(f) [Reserved by [81 FR 94234](#)]

(g) Registration and fingerprinting of children who reach age 14. Within 30 days after reaching the age of 14, any alien in the United States not exempt from alien registration under the Act and this chapter must apply for registration and fingerprinting, unless fingerprinting is waived under paragraph (e) of this section, in accordance with applicable form instructions.

(1) Permanent residents. If such alien is a lawful permanent resident of the United States and is temporarily absent from the United States when he reaches the age of 14, he must apply for registration and provide a photograph within 30 days of his or her return to the United States in accordance with applicable form instructions. The alien, if a lawful permanent resident of the United States, must surrender any prior evidence of alien registration. USCIS will issue the alien new evidence of alien registration.

(2) Others. In the case of an alien who is not a lawful permanent resident, the alien's previously issued registration document will be noted to show that he or she has been registered and the date of registration.

(h), (i) [Reserved by [76 FR 53795](#)]

Credits

[[25 FR 10495](#), Nov. 2, 1960, as amended at [26 FR 3455](#), April 22, 1961; [30 FR 1031](#), Feb. 2, 1965; [30 FR 13862](#), Nov. 2 1965; [32 FR 9633](#), July 4, 1967; [33 FR 11354](#), Aug. 9, 1968; [35 FR 12268](#), July 31, 1970; [36 FR 16646](#), Aug. 25, 1971; [38 FR 8591](#), April 4, 1973; [39 FR 10885](#), March 22, 1974; [45 FR 32658](#), May 19, 1980; [45 FR 52143](#), Aug. 6, 1980; [52 FR 16194](#), May 1, 1987; [53 FR 43986](#), Oct. 31, 1988; [54 FR 50340](#), Dec. 6, 1989; [54 FR 51816](#), Dec. 18, 1989; [55 FR 20262](#), May 16, 1990; [56 FR 483](#), Jan. 7, 1991; [57 FR 6462](#), Feb. 25, 1992; [57 FR 14627](#), April 21, 1992; [58 FR 48779](#), Sept. 20, 1993; 58 68024, Dec. 23, 1993; [59 FR 1466](#), Jan. 11, 1994; [59 FR 47063](#), Sept. 14, 1994; [60 FR 66067](#), Dec. 21, 1995; [61 FR 37675](#), July 19, 1996; [61 FR 46537](#), Sept. 4, 1996; [61 FR 47669](#), Sept. 10, 1996; [63 FR 70316](#), Dec. 21, 1998; [67 FR 52591](#), Aug. 12, 2002; [67 FR 71450](#), Dec. 2, 2002; [68 FR 67583](#), Dec. 2, 2003; [76 FR 53795](#), Aug. 29, 2011; [78 FR 18473](#), March 27, 2013; [81 FR 91670](#), Dec. 19, 2016; [81 FR 94234](#), Dec. 23, 2016]

SOURCE: [52 FR 16194](#), May 1, 1987; [53 FR 43986](#), Oct. 31, 1988; [57 FR 6462](#), Feb. 25, 1992; [67 FR 52591](#), Aug. 12, 2002; [67 FR 71450](#), Dec. 2, 2002; [68 FR 10923](#), March 6, 2003; [68 FR 35275](#), June 13, 2003; [90 FR 11800](#), March 12, 2025, unless otherwise noted.

AUTHORITY: 8 U.S.C. 1103, 1201, 1302–1305; 8 CFR part 2.

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